

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

(ECF)

- - - - - : 05 Civ. 8453 (KMK) (JCF)  
TARASIK ABDELL, et al., :

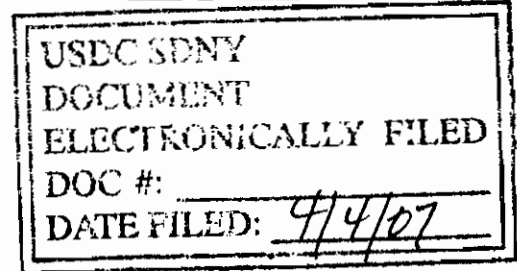
Plaintiffs, :  
- against - :

THE CITY OF NEW YORK, et al., :

Defendants. :

- - - - - :  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

O R D E R



Defendants having moved by letter dated February 9, 2007 to dismiss all claims of certain plaintiffs or, in the alternative, to dismiss their claims for emotional distress and loss of liberty, it is hereby ORDERED as follows:

1. The following plaintiffs have declined to provide authorizations in connection with medical or psychological treatment, and their claims for emotional distress are therefore dismissed:

Matthew Dietzen  
Alexander Holley-Drummond  
Calla Evans  
Adam Feinstein  
Barrett Z. Gross  
Pepper Judd  
Andrew Laken  
Jonathan Logan  
Mark Nechay  
James Watson

In addition, the emotional distress claims of Zachary Vreeland are dismissed, as he has failed to provide authorizations or request an extension. The emotional distress claims of Benjamin Bernard, Michael Joseph, Robert J. Siegel, and Ann Turner were previously dismissed. The claims for loss of liberty are not dismissed, as

they are not dependent on proof of emotional injury.

2. The following plaintiffs have produced the required authorizations, and the application to dismiss their emotional distress claims is denied:

David Barrows  
Kathleen Hernandez  
Benjamin Hunt  
Jennifer Janney  
Sarah Kanouse  
Jay Kantor  
Tessa LaLonde  
Ryan McGee  
Barbara Ann Meisinger  
Tristan Migliore  
Daniel O'Reilly-Rowe  
Shannon Petrello  
Steven Schofield  
Sarah Tepsic  
Ann Trudell

In addition, Dewayne Dickerson is mentioned only in passing in the body of defendants' March 15, 2007 letter. Absent further information, his claims remain intact.

3. Plaintiffs Colleen Cook and Katherine Poe shall produce the required authorizations no later than April 16, 2007, failing which their emotional distress claims shall be summarily dismissed. For Ms. Cook, this means authorizations for her 2001 and 2004 treatments, and for Ms. Poe it means authorizations for her 2004 treatment at the Renfrew Center.

4. With respect to those plaintiffs whose emotional distress claims remain, by April 15, 2007 they shall provide releases for all pharmacies that have filled prescriptions for drugs used by the plaintiffs in connection with any psychological or emotional conditions, failing which their emotional distress claims shall be

summarily dismissed.

SO ORDERED.

  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
April 4, 2007

Copies mailed this date:

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